

CLANDESTINE AMERICA



THE WASHINGTON NEWSLETTER OF THE

ASSASSINATION
INFORMATION
BUREAU

May-June 1978

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Vol. 2, No. 3

"This is the Age of Investigation, and every citizen must investigate." — Ed Sanders

HSCA UPDATE: The King Case

The final phase of the two year HSCA investigation is fast approaching. Judging from present indications, the Committee intends to begin its public hearings in late July or early August, and they will run through the fall. The plan calls for network televised sessions at the outset (e.g. the Senate Watergate Committee), though continued TV coverage will depend on the "news value" of the investigation. The proceedings will begin with the King case, with James Earl Ray likely to be scheduled as the first witness.

A May 4th statement by Committee Chairman Louis Stokes makes it appear that the King investigators may be trying to construct a limited conspiracy involving only Ray and his family. It appears the Committee is groping to answer one of the real sticking points for any believable scenario—where did Ray get the \$10,000 he spent in 1968? The supposition would be that Ray's travels were financed by robberies committed by his brothers, Jarry and John, and with his sister, Carol, as a willing accomplice.

Quoting from excerpts of Stokes' statement made on the House floor:

"James Earl Ray escaped from the Missouri State Penitentiary on April 23, 1967. From then until April 4, 1968, when Dr. King was killed in Memphis, the activities of Mr. Ray have been of prime focus in this investigation. The committee has determined the whereabouts and activities of Ray for certain portions of this period. Nevertheless, large gaps in time still exist, in which conventional investigative techniques have failed to disclose the needed information. The committee has, therefore, looked to the family of James Earl Ray for help in filling these time gaps. John Ray, his brother, and Carol [Ray] Pepper, his sister, are believed to have knowledge of his activities that would be of assistance to the committee. John Ray is believed, for example, to have visited his brother the day before Ray's escape from Missouri State Penitentiary on April 23, 1967. Carol Pepper is believed to be the focal point for family communication and she is known to have handled financial transactions for her brothers in the past.

Because of this belief, John Ray and Carol Pepper were subpoenaed to appear before the select committee on April 17, 1978, and April 18, 1978. On April 17, 1978, John Ray did appear and he did testify before the committee. Nevertheless, during the course of his testimony, Mr. Ray refused to disclose information clearly within his knowledge by systematically relying on a supposed lack of recollection to thwart and obstruct the committee's inquiry. Mr. Ray's testimony was, in effect, testimony in form only, and it constituted a clear case of contempt. On April 18, 1978, Carol Pepper also appeared and testified. Her testimony was equally evasive...

... Mr. Speaker, it is not the committee's intent to create or pursue a vendetta against the Ray family. Our intent is simply to establish the truth for the benefit of the American people. The committee has taken great pains to insure that Carol Pepper and John Ray are aware of this fact...

... This information that Carol Pepper and John Ray are believed to possess is essential to the committee's work, and their attempts to undermine our investigation must not be tolerated... Both John Ray and Carol Pepper are scheduled to reappear before the committee in order to continue their testimony. (Both testified a second time on May 9). It is sincerely hoped that during the intervening time, they will choose to abandon their obstructive tack and respond to the committee's queries in a substantive manner reflective of the information which they so obviously possess.

Should Carol Pepper or John Ray continue to assert a convenient lack of recollection, the committee may have no alternative but to bring these actions either to the attention of the court for disposition under its civil contempt power or before the House for certification of contempt of Congress...

(John Ray, 46, was released from the Federal penitentiary in Marion, Illinois earlier this spring. Since 1970, he had been serving an 18-year sentence for being an accomplice in a bank robbery. He was scheduled for parole on June 16, and since April he had been living in a St. Louis pre-release facility ("half-way house") awaiting a final decision. Carol Ray Pepper is the wife of Albert Pepper of St. Louis.)

Both John Ray and Carol Pepper are represented by Washington attorney, James Lesar (formerly one of James Earl Ray's lawyers). Despite the objections of the HSCA (which claimed that the attorney would have a conflict of interest), Lesar was allowed to act as counsel for the brother/sister pair in their recent testimony. Recently, he commented on Chairman Stokes' May 4th statement:

"I think this statement indicates that the investigation is mis-focused... What he's really saying is that they're trying to establish that Ray's family provided him with the money which he used to travel around the country between the time he escaped from the Missouri Penitentiary and the time that he fled the country after the King assassination. It seems quite apparent that the thrust of this is to try to limit any financing of a conspiracy to James Earl Ray and his family members. My basic reaction is that it's all hogwash."

Lesar was asked, "How have your clients 'undermined' the investigation?" "The only way it could be 'undermined' is on the



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assumption the committee has already made that they financed James Earl Ray, and are therefore guilty of something or other, along with him, and that they are withholding that information, otherwise it makes no sense whatsoever . . . They don't have any case on either one and they have undermined the so-called 'case', by making public attacks on the floor of Congress while at the same time denying John Ray and Carol Pepper the ability to respond by making public their own transcripts. (The HSCA refuses to let witnesses make their own testimony public). She was also being denied counsel of her choice. Essentially what they had was a woman, just a housewife, who was frightened and scared at being called up to testify before some Congressmen who were acting in a very threatening manner. And she became confused during the testimony."

John Ray Imprisoned/Parole Threatened

Based on a perjury complaint from HSCA Chief Counsel, G. Robert Blakey, Federal marshals took John Ray out of a St. Louis halfway house the week before his scheduled June 16 parole and placed him back in jail to await an investigation of the charges. Ray will be moved back to federal prison in Marion, Illinois, where a June 24 parole hearing is set.

According to the *Washington Post* (June 17, 1978), "informed sources" at the HSCA said Ray "gave a series of responses that the subcommittee deemed perjurious" at the May 9th hearing. No formal charges have been filed so far, but the Justice Department is said to be considering an indictment.

Ray's attorney, Jim Lesar, told the *Post* that his client was being railroaded by the HSCA. He said that in April, Rep. Floyd Fithian (D.-Ind.) "personally threatened" to write the Parole Commission about John Ray. And that at one point in the hearings, "Fauntroy threatened to put John Ray in the D.C. jail. He said in substance: 'It's not a very nice place; you've never been there, Mr. Ray, but I'm sure you wouldn't like it.'" Lesar added that he regarded the remark "as an attempt to intimidate John probably based on the belief that he would be afraid of blacks" in the D.C. jail. Rep. Fauntroy's office had no comment. Rep. Fithian told the *Post*, "Mr. Lesar is, as you know, a very excitable person."

Lesar was asked by the AIB if he knew the specific nature of the perjury allegations: "They relate to bank robberies committed in 1969 and 1970 [which John Ray testified he had nothing to do with]. And if it is these robberies, the most obvious objection to it is that they are in no way material to anything that's relevant to the Committee's purposes. The bank robberies were committed after James Earl Ray was convicted, so what possible relevance do they have for Dr. King's assassination? . . . Furthermore, in order to demonstrate that any of John's testimony is material to the Committee they have to first establish that James Earl Ray shot Dr. King, or participated in it. That would present an interesting problem if they do try to go after John."

This extraordinary step by the HSCA is a further indication that it considers the activities of the Ray family to be an integral part of any conspiracy investigation. Whereas the family's conduct may illuminate important parts of the case, a conspiracy probe that goes no further would not account for the intricacies of Ray's flight, the pre-assassination maneuverings that placed King at the Lorraine Motel, and a host of questions that demand a more sophisticated explanation.

Jerry Ray Testifies

On May 10th and 11th Jerry Ray appeared as a witness before the HSCA. Behind closed doors, he testified for 2 full days without counsel. The HSCA would not allow the attorney of his choice, Mark Lane, to represent him because Lane is also the current attorney for James Earl Ray. So Ray chose to appear alone.

During a lunch break on the first day, Ray calmly told reporters he had been quizzed about his movements for the three months before the assassination and his communications with his brother James during this time. He told the HSCA that he met his brother three times during this period before the King murder, and that James was involved with the mysterious "Raoul" in a smuggling schema during this time.

Ray said he was being questioned "as an accessory" who was "not directly involved" in the assassination. "They're going over every statement I've ever made to the press," he added.

Ray told the committee that he had no prior knowledge of or involvement in the King murder, and he said that he had asked the HSCA to give him a lie detector test so he could prove this statement. The committee has not yet done so.

Finally, Ray told reporters that the committee was "undetermined if James is guilty or innocent."

Jerry Ray is sure he will be recalled as a witness during the public hearings.

Grace Walden Released

Grace Walden, 62, a possible eyewitness to the escape of the assassin of Dr. King, was released in April from Western Mental Health Institute in Bolivar, Tennessee, where she had been confined since July 1, 1968, just after the King assassination. (She had been committed to the institution by the office of the Memphis District Attorney.)

Mrs. Walden was living in the Main Street rooming house from where the King assassin is said to have fired the fatal shot. She has remained firm since 1968 in publicly stating that the man she saw fleeing down the hotel hallway just after the shot was *not* James Earl Ray. The man she saw was much smaller than Ray (about five feet six), 50ish, and had different colored hair.

Many close observers of the King case have long demanded Mrs. Walden's release, believing she was being held illegally. Earlier this year, a group of ministers issued a strong statement calling for her release.

On May 3, Mrs. Walden flew to California in the custody of Mark Lane, and, on May 22, Lane was named her co-guardian. Mrs. Walden has been questioned by the HSCA.

—J.G.

L.A. Times Slams HSCA

In a copyrighted article on June 1, the *Los Angeles Times* reported that the HSCA investigation is floundering badly and will produce no new evidence in either the JFK or MLK cases. Through interviews conducted with writers and witnesses who have appeared before the committee, the *Times* concluded that "the committee and its investigators have labored mightily to unearth conspiracies in both cases—but to no avail."

The following interesting items appeared in the article, interspersed with predictable slams on the committee's misspending and lack of focus:

—In an exclusive interview at Brushy Mountain Prison, Ray told the *Times* that there was nothing conspiratorial in his acquisition of Canadian i.d. and passport after his escape there following the King shooting. "I got those myself, nobody helped me with those," Ray told *Times* reporters in the presence of his

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THE HSCA SHOW BEGINS

One does not have to believe that the HSCA will crack the case, discover "smoking guns," or even screen the Zapruder film in order to look forward with enthusiasm to the forthcoming assassination hearings. For those who think and care about the issue, the public inquiry, scheduled to begin early in August, is a surefire proposition. If vital indications of conspiracy are disclosed, it will be there for all to see. If key items are covered up, they will be covered up in public.

Fifteen years ago, on the weekend of November 22, 1963, the nation was offered extensive televised coverage of an assassination case. In unison, the population flicked on the tube, saw Oswald handcuffed, a new President sworn in, Oswald shot, the former President buried. It was hailed as the nation's finest hour. It held us captive. No one has been the same since.

In the intervening years, there have been a series of bleak attempts at official investigation—the Warren Commission, the Clark Panel, the Ray hearing, the Shaw trial, the Inspector General's Report, the Rockefeller Commission, the Schweikart Report—all disappointing and incomplete. Although we are darkly skeptical about the likelihood of a government investigation probing too boldly into the conduct of government agencies (so vital to these cases), we cannot nonetheless ignore the anomaly of what it means to finally have a public showdown.

Unlike Watergate, which looms inevitably as an analogy, these hearings will not be forging into uncharted territory. The public won't be nearly as ignorant of what there is to look into and what there is to cover up. For most of the witnesses who will be appearing there already exists a considerable file of prior affidavits, interviews, and documents, some of it illuminating, some obfuscating and all of it useful as we take measure of the Congressional findings.

The public sessions pose an unpredictable dynamic. The intelligence agencies are not likely to be held back—all the tools of their craft will be applied. Committee members will strive to cover their backsides. The media will persist in their skepticism, endeavoring to maintain credibility with-

out stepping on toes. Everyone has something to lose and will be walking a tightrope. The AIB will try to stir up a breeze.

For each witness and category of investigation, we will suggest the most promising avenues of interrogation. To the extent these are evaded we will have an indication of the committee's intent. To the media, we will provide detailed background briefings so they might have references with which to evaluate the committee's work. There are, of course, elements of the media hopelessly committed to the cover-up. We will try to work with the rest.

In the JFK case, there are at least three key areas of the HSCA presentation to scrutinize: 1) the single bullet theory—was there more than one gunman?; 2) Oswald's activities in the Marines and Russia—was he an agent?; 3) the second Oswald—was he being set up in the months prior to Dallas?

On the King case, we watch for undisclosed ballistics evidence (which so far has failed to link the fatal bullet to Ray's rifle), and an explanation of Ray's finances as well as his ingenious Canadian aliases.

To our readers, we suggest relentless letter-writing to HSCA members, local Congresspeople, and relevant media. We recommend community teach-ins and post-hearing discussion groups. To all who believe a free country cannot survive flagrantly clandestine maneuvering at the highest levels, we urge a ceaseless vigilance over the work of this committee, as though the life of the democracy depended on it.

This investigation exists as a direct response to public pressure for the truth in the murders of JFK and MLK. It was not formed because Congress suddenly realized there were unanswered questions in these cases. Independent citizens played a key role in the establishment of the HSCA. The public hearings are set to begin. We must assume a key role, in every way possible, in the upcoming proceedings.

—The AIB

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attorney, Mark Lane. This surprising disclosure seemingly undermines Ray's own claim of conspiracy.

Ray's amazing discovery of phoney aliases of real Canadian citizens whom he somewhat resembled has long been a source of conspiracy speculation in the case. "I don't know where I got all those aliases," Ray told the Times, "but I probably got them out of a magazine or the phone book."

—Arthur Hanes, Ray's first lawyer from Birmingham, after being interviewed by the committee, said, "They are rahashing all the old things they knew a long time ago. They have not added one fact of evidence I did not know two months after I was in the case."

—Gerold Frank, author of *An American Death*, said, after being interviewed by committee investigators, "I gather they did not believe it was not a conspiracy."

—William D. Pelsley, the man who sold the white Mustang to Ray in Birmingham, has testified to the committee.

—Memphis police detective Ed Redditt, whose testimony two

years ago was instrumental in persuading the black caucus to press for an investigation, said that the importance of his removal from a surveillance assignment across from the Lorraine Motel has been greatly exaggerated by "people who write books over night."

Preyer Comments—

From the U.P.I., we have this disturbing quote from Kennedy assassination sub-committee chairman Richardson Preyer which indicates that the committee is leaning toward the lone-gunner theory: "I think that from the physical, scientific, and forensic evidence we will be able to demonstrate conclusively whether or not Oswald was the lone shooter at Dealey Plaza. Of course, from the scientific evidence, you can't answer the question of whether he did have help in a conspiracy. But I think we'll be able to answer that too."

—B.K.



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THE FBI FILES (continued)

Since our "Preliminary Report" (*Clandestine America*, Jan.-Feb., 1978), work on the recently released FBI files on the JFK assassination has been continuing. As we review the documents, new evidence is constantly emerging. At this point, however, it is apparent that there are no "smoking guns". If there remain any documents in the government's files on Oswald's intelligence connections or the identity of the Mexico City mystery man, they must be among those still withheld by the FBI, the CIA, the Secret Service, and other agencies. Yet we are finding new indications of the nature and extent of the cover-up. The present update provides a sample of our findings.

Some of the most interesting information to emerge recently concerns Jack Ruby. As we reported earlier, we have found several documents with handwritten inscriptions by FBI Director J. Edgar Hoover complaining about the way in which his own top aides were withholding information from the Warren Commission about what the FBI had in its files on Ruby prior to November 24, 1963. Other researchers have raised the question of whether Ruby had been a government informant as early as the late 1940's. The Warren Report noted that Ruby had been interrogated by the Federal Bureau of Narcotics in 1947 in connection with a major opium-smuggling case in which several of the principal suspects were well-acquainted with Ruby. Peter Dale Scott has pointed out that the information Ruby gave to the FBN was contradicted by other witnesses, raising questions about why the government did not pursue Ruby's own possible involvement in the smuggling plot. As Scott writes (*Crime and Cover-up*, p.41), "The FBN's failure to pursue this obvious conflict of testimony strengthens the hypothesis that Ruby enjoyed protection as a government informant, and may even have been the underworld source who first alerted the government to the smuggling deal." This hypothesis is strengthened even further by the discovery of an FBI document which showed that Ruby was interviewed earlier than had previously been supposed, probably as a part of the same investigation. The new FBI document, dated December 24, 1963, was written by D.J. Brennan to William C. Sullivan, then head of the Bureau's Intelligence Division. The document contains a list of files on Oswald and Ruby in the possession of other government agencies. The first item on the list reads as follows: "On 12/24/63, Mr. George Geffney, Bureau of Narcotics, furnished SA Putnam the attached memorandum setting forth a 1946 interview of Jack Ruby concerning a narcotics matter." (Emphasis added) Unfortunately, the FBN memo is not included in the FBI's recently released files.

As in the previous case, much of the new evidence reflects not just on the FBI but also on the role of other agencies. One such case involves the handling of the post-assassination investigation of Americans other than Oswald who had defected to the Soviet Union and subsequently returned to the U.S. This investigation began on the night of November 22, when a Defense Department official notified the FBI of three such cases and suggested that the individuals might be mixed up in the assassination. FBI officials interpreted this as a request simply to ascertain whether any of the three returned defectors had been in Dallas on November 22. Clearly, there were other issues involved. Dozens of questions about the State Department's handling of the Oswald case remain to this day. It is difficult to see how all of the problems concerning the return of Lee Harvey and Marina Oswald to the U.S. could be resolved without exposing hitherto unknown connections between the Oswalds and U.S. intelligence agencies. By the same token, the cases of the three other returned defectors raised delicate questions about the performance of federal agencies. Hoover himself seemed to realize immediately that, in the con-

text of the assassination, the FBI's interest in these three cases was broader than just the question of whether the three individuals were co-conspirators with Oswald.

One of the three—Robert Edward Webster—has long been of interest to researchers. As in the case of Oswald, there are some indications in Webster's defection and return (which roughly coincide with Oswald's in time) of intelligence connections. The new FBI documents, however, should serve to focus attention on another of the three cases—that of Nicholas Petrulli, who defected and returned within three weeks in September 1959 (less than two months before Oswald's arrival in the Soviet Union).

The earliest FBI record on this matter, a memo dated November 23, 1963, concludes: "The Cleveland and New York Divisions have been instructed to discreetly [sic] ascertain the whereabouts of Webster and Petrulli on 11/22/63." Beneath this, Hoover wrote: "Also I can't understand this renouncing of citizenship by Petrulli in 9/2/59 and his return to U.S. on 9/22/59. Is it accepted practice by State Dept. to allow individuals who have renounced their citizenship to return to the U.S.?"

All three returned defectors were promptly located by the FBI and found not to have been in Dallas recently. Petrulli was living in Los Angeles, and the FBI office there sent a one-page memo to headquarters in which his name is consistently spelled as "Perrulli". The only substantive information in the memo, based on an interview with Petrulli's brother in New York, was that Petrulli, upon his return to the U.S., had attempted suicide and had been hospitalized, and that he had originally gone to the Soviet Union to "see for himself."

A November 25 memo from Brennan to Sullivan notes Hoover's earlier query about State Department practice and comments: "On 11/25/63, instant matter [i.e., the Petrulli case] was discussed by Liaison Agent Bartlett with Mr. Joseph Scott, Deputy Director, Bureau of Intelligence and Research, State. Mr. Scott said that he would immediately check into this matter and would advise as soon as he obtained the facts." Hoover writes underneath: "Follow closely." Below this, the Director's top aide, Clyde Tolson poses his own questions: "Shouldn't these people who have renounced U.S. citizenship be on our security index? Do we investigate all such people?" Beside this remark, Hoover wrote: "I would like to know."

Tolson's question was answered four days later in a memo written by William Sullivan: the FBI normally investigates only those returned defectors who were considered dangerous or who had not repented their actions, though Sullivan conceded that the difficulty involved in determining the sincerity of an individual's repentance would support a policy of putting all such people on the Security Index. This seemed to satisfy Tolson, who commented: "I think each case should stand on its merits." But Hoover wrote underneath: "I can't agree unless we more carefully screen each case. In Oswald's case there was no indication of repentance. . . ." As the 1976 Schweiker Report revealed, the failure to place Oswald on the Security Index resulted in the disciplining of 17 Bureau personnel in December 1963.

Hoover's own inquiry about State Department practice was still unanswered. Another Brennan to Sullivan memo on the Petrulli case was written on November 29. "This matter has been closely followed by Liaison and State's answer is still not forthcoming," the memo said. "On the evening of 11/27/63, Liaison Agent Bartlett again discussed instant matter with Mr. Joseph W. Scott at State. Mr. Scott advised that as soon as the Petrulli question was raised by the Bureau on 11/25/63 he immediately discussed the matter in question with the following

State Department officials: Undersecretary George Ball, Deputy Undersecretary U. Alexis Johnson, Ambassador Llewellyn F. Thompson and Director of Intelligence Thomas Hughes. Mr. Scott further advised that, based on this talk, a memorandum was prepared concerning the Petrulli matter and is now in the office of the Legal Adviser in view of the fact that there are legal questions involved in the case. Mr. Scott said that he is hopeful to have the final memorandum within the next day or two and will immediately advise the Bureau as soon as he has the details." At the end of the memo, Hoover writes: "Keep after it." But the files contain nothing more about the Petrulli case. There is no indication that the State Department memo was ever sent to the FBI. Despite its obvious importance and relevance to the Oswald case, the matter seems simply to have been dropped.

The files also contain occasional examples of evidence which have been suppressed. Perhaps the most bizarre such case concerns a set of photographs of the presidential motorcade in Dealey Plaza taken by a man named Robert Croft. Until 1975, no one even knew of the existence of these photographs. Then, a series of Secret Service documents about them was released, indicating that the FBI had possession of the pictures after the assassination but failing to mention that they had indeed been taken at the very time of the shooting.

Now, several FBI documents dealing with the Croft photos have been discovered. The pictures were first made known to the Bureau in a communication dated November 23, 1963, which stated that Croft "is a Mormon missionary who was in Dallas, Tex., 11/22/63. While awaiting a train for Denver CROFT advised he took four photographs of Presidential motorcade, the last of which he states believed taken simultaneously with the shot which killed the President." FBI headquarters subsequently obtained the film from Denver and processed it. A report dated December 3 states that three of the developed pictures show the motorcade; they are numbers 16, 17, and 18 on the roll of film. "Frame number 19," the report continues, "is a complete blank and might possibly have been occasioned by a malfunction of Croft's camera or some other error on the part of the photographer." It was presumably this picture which Croft thought was simultaneous with the fatal shot. Xerox copies of the three developed pictures are included with the December 3 report. Although they are difficult to make out, the last photo appears to show the presidential limousine about to turn in front of the Book Depository onto Elm St. From the xerox copies, it would seem that Croft was standing on the southwest corner of Mein and Houston Sts.; thus, his last photo would probably have shown the Grassy Knoll area at the time of the fatal shot.

Some of the new documents deal with the evolution of the single bullet theory. The most interesting of these is a memo dated January 28, 1964, which describes a meeting attended by Commission staff members, as well as representatives of the Secret Service and FBI. The Zapruder and Nix films were screened at the meeting, the purpose of which was to determine the exact time at which the shots were fired. The author of the memo, FBI official L.J. Geuthier, was not one of those present. In discussing "Shot Two" he writes: "One (Warren Commission) staff member, according to (Secret Service) Inspector Kelley, quietly spoke about the 'outside' possibility of shot one going through the President with sufficient velocity remaining to penetrate Connolly's body, wrist, and leg. Inspector Kelley mentioned this to me confidentially. He was of the opinion that this was a personal remark made on the spur of the moment. Shot two under those ridiculous facts would have gone completely 'wild' according to Kelley."

The FBI official's own characterization of this suggestion as "ridiculous" is not surprising; an FBI report early in the investigation had put forward the theory that there had been three shots and three hits—one shot hitting Connolly and two hitting Kennedy, and the FBI continues to this day to uphold this theory,

despite the fact that the Warren Commission eventually accepted the single bullet view, according to which one shot missed entirely and another hit both Kennedy and Connolly. The interesting point here is that the single bullet theory was being expressed by a Commission staff member as early as the end of January 1964, several weeks before it is known to have been formulated by Warren Commission Assistant Counsel Arlen Specter.

Hoover's handwritten remarks continue to provide great insight into the investigation. In some cases, it is the Director's wit alone which is a source of illumination. When J. Lee Rankin took over in mid-December, 1963 as Warren Commission Chief Counsel, one of his first acts was a request to the FBI for their "rew" reports. The Bureau had hoped to get by simply on the basis of their 5-volume Summary Report of early December. Hoover greatly resented Rankin's request, and, although he put up no active resistance, he continued to boil. For example, there is a memo dated January 2, 1964 which describes the production of scale models, aerial photos, maps and charts of Dealey Plaza and the Dallas Police basement, eventually used as aids to the Commission. The author of the memo concludes by noting that "Thursday, January 9, 1964 appears to be the earliest date this project can be completed to insure that the FBI's reputation for getting its assignments handled accurately and to the fullest extent can again be realized. Everything is personally being done to advance the target date." At the bottom of the memo, Hoover wryly observes, "Better have some extra wood and nails as Warren may want to see the 'raw' material."

Additional updates concerning AIB research on the FBI document will be forthcoming in future issues.

—J.K.

WAS LEE HARVEY OSWALD WORKING FOR THE CIA? An Insider's View

On March 27th, in a story widely circulated in more than 300 newspapers across the country, the *New York Times* reported that "the former finance officer for the CIA has testified before the House Select Committee on Assassinations that his colleagues had told him that Lee Harvey Oswald was a secret operative for the agency in Japan in the late 1950's."

The *Times* piece, by Nicholas Horrock, identified the ex-CIA man as James Wilcott. Wilcott, 46, joined the CIA as a low-ranking finance officer in 1957 and arrived at the Tokyo station in 1960. It was in Japan, after numerous conversations with agency personnel from the covert operations division, that Wilcott became convinced that Oswald had been recruited by the CIA to infiltrate the Soviet Union.

Wilcott's job at Tokyo Station included making cash disbursements for CIA projects which were identified to him only by code names called "cryptos." Within months after the assassination, a fellow employee told Wilcott that he had earlier drawn a payment for Oswald under a cryptonym project.

Wilcott's Washington attorney, Bill Schaep, confirmed to the AIB that his client had given the HSCA the names of several CIA



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employees who worked with Wilcott and who might be able to provide additional information on Oswald's alleged CIA ties.

Since quitting the CIA in 1966, Wilcott has made no secret of his knowledge of Oswald's CIA connections, but has never sought to publicize his views. However, in 1976 he was the subject of a short article in the *Pelican*, the student publication of the University of California, Berkeley, by Deen Calbreath. He told Calbreath: "In the early sixties there was a rift between the 'Kennedy liberals' in the Agency and the hard-core conservatives. The liberals, myself included, did not like what was going on and began meeting clandestinely, discussing what could be done to change it. The hard-line wing won out in 1962, at about the time of the Bay of Pigs, although it didn't really win out until '63 with the death of Kennedy."

"The day after Kennedy was shot we were told that it was done by CIA; that Oswald was a project of the CIA; and that he'd been working as an agent in the Soviet Union in the late fifties. In the office that day, everybody was all shook up—I mean, not emotionally, I think most of the people were not sad about it; some of them were outrightly happy. These people knew that Oswald was an agent—one guy I knew said, 'Oh yeah, Oswald. He was working for so-and-so in the Soviet Union.' The question being asked wasn't why he'd done it, but who he'd done it for—whether it was an official CIA project, or a project of the National Security Council, or whether it was CIA agents and case officers that had done it one their own. I mean, these guys are taught to kill first and ask for permission later."

The AIB asked Wilcott why he had come forward now: "Well one of the things was that I considered this all hearsay. What good could this possibly do anybody anywhere? Of all the things I had to say about the CIA I considered this the least significant because it was hearsay. I never saw Oswald, or I never saw a document with Oswald's name on it. And I know from the way we used to deal with documents that it probably would have been destroyed by now. So I think that this is just tragic for this Kennedy thing to keep dragging on and on and on. And I think it's time for people who do know something to come forward and say what they know."

The AIB was also given a copy of a 20-page paper on the Kennedy assassination, written by Wilcott in January, 1977. The paper was prepared by Wilcott with the intention of gathering his recollections of that era. Although he did not write it with an aim toward publication, the AIB is presenting the following excerpts, as the best means of insuring that Wilcott's unique perspective is conveyed.

—D.W.

"The Kennedy assassination came as no great shock to most of the people at Tokyo station in Japan, a class A Station of the CIA. It seemed a logical culmination of the steadily building anguish and discontent over the Bay of Pigs fiasco and Commie sell-out of the Kennedy administration; that was the prevailing sentiment. This was particularly true of the higher echelon operational people. The branch chiefs and deputy chiefs, project intelligence officers and operational specialists viewed Kennedy as a threat to the clandestine services. The loss of special privileges, allowances, status and early retirement that come with the CIA cloak-and-dagger job were becoming a possibility, even a probability. . . ."

"Politically, at the station, as in CIA generally, strong anti-communist, conservative views were dominant. To openly support the 'Kennedy liberal' position was not wise, as promotion and job advancement were at stake. By November 22, 1963, we had all come to understand this quite well. 'Treason' and 'dupe of the USSR' were commonly applied during the heated political conversations concerning the September, 1963, Nuclear Test Ban Treaty. Administration support of integration, and 'Kennedy's personal crusade' against the oil depletion allowance were also seen as an attack on free enterprise. Greetly feared,

also, was a winding down and eventual pull-out in Vietnam, with a political settlement, rather than an all-out military onslaught to win. More frequent and more bitter, however, was the charge that Kennedy had reneged on his secret agreement with Dulles to support the Bay of Pigs invasion."

"With the assassination came more criticism and talk outside the confines of the 'need-to-know' principle, especially after a few drinks away from the station, to let off steam. Lee Harvey Oswald was a favorite subject. He had been trained at Atsugi Naval Air Station, a plush super secret cover base for Tokyo station special operations. As I understand it, SR Branch had the responsibility for it with much special expertise and direction from Headquarters. The U-2 flights that originated from there were also a major project of CIA."

Oswald was recruited from the military for the express purpose of becoming a double agent assignment to the USSR. It was said that they had some kind of special 'handle' on him. Perhaps, went the speculation, they had discovered that he had murdered someone or committed some other serious crime, during a routine lie detector test. In any case, it was a very risky assignment. CIA taught him Russian and it was said that he had been to the farm (CIA's agent training camp, Camp Peary, VA), although probably not in one of the regular agent training programs. He may not have even known that he had been there. (That was often done with very special cases. They would be put to sleep and wake up in a strange place and be told that it was some other place than the farm.) Although they said that he knew he was working for CIA, he was kept rigidly compartmented from any of the normal contacts that a regular CIA employee would have. The operational people that I knew never admitted that they were working on the project, although some hinted at it. More than once, I was told something like 'so-and-so was working on the Oswald project back in the late '50's.'

Conversations with the SR people were not numerous, however. Very few took place and they were short. While Support, Korea Branch, China Branch and Japan Branch people talked more, SR was quite tight-lipped about it. This was, also, not a topic of continual or loose discussion or chatter. I was somewhat cautious in talking about it except with my closest friends. Some others would say that this subject was better not discussed.

It was said (by fellow employees) that they had many difficulties with Oswald, the exact nature of which have been forgotten. Critics said that it was a stupid project from the start. They should have known that the Soviets would never buy the story. He was a poor subject for such a deep cover operation. There were too many compromising facets to his background which make it a difficult story to sell.

When Oswald returned from the USSR in June of 1962, either on his way back or after he got back, he was brought back to Japan to either Atsugi or Yokosuke for debriefing. It was assumed. At one point, soon after Ruby shot Oswald, I was talking with someone, I can't recall who for sure, and I expressed disbelief about Oswald being a CIA project. I was told something like 'Well, Jim, so-and-so drew an advance sometime in the past from you for Oswald' or 'for that project under such and such a crypto.' It was a familiar cryptonym to me at the time, which I have since forgotten, as well as the time that the advance of funds was drawn."

"Information from my rather tight social circles would occasionally come our way and we would seize upon it and try to fit it into our own version of the scenario. There was no doubt that the CIA was in 'as thick as thieves' with the Dallas Police. Several different individuals or firms in Dallas had been involved in one way or another with acting as cut-outs for arms shipments to Cuban exiles for the invasion. This we concluded from putting various pieces of information together. I remember hearing about some CIA people who had somehow helped the right-wing Minutemen in Texas to get arms, originally intended for the invasion."



One of the reasons given for the necessity to do away with Oswald was the difficulty they had with him when he returned. Apparently, he knew the Russians were on to him from the start, and this made him very angry.

After one discussion we had, it seemed quite likely that the original assassination project may have been to kill Kennedy and blame it on Oswald, who would be linked to Castro as a pretext for another invasion attempt or build up. There was something about some kind of alert, just prior to November 22, having to do with Cuba that was used to support this theory. Perhaps Cuban intelligence knew about it, CIA found out they knew, and that part of it was never attempted. It would seem that if this was the case, CIA records would indicate such an alert, and this approach could be followed up on."

"(The above account is) as I knew it at the completion of my second tour at Tokyo station as of June, 1964. No other information acquired after that period has been included."

THE RFK MURDER: Ten Years After

(June is the tenth anniversary of the Robert Kennedy assassination, and we feel it appropriate to review the state of the case.)

For those who pursue the unanswered questions in major political assassinations, the RFK shooting has always been somewhat of an interesting but elusive distant cousin. The ballistics evidence is curious but not compelling. Investigative leads are few and far between, the assassin thinks he did it alone. If there was a conspiracy that murdered RFK on the eve of his victory in the California Democratic primary on June 5, 1968, researchers agree it was a quantum leap forward in sophistication from the more familiar models in Dallas and Memphis. As one expert notes, "Dealey Plaza was just a bushwacking; what happened in Los Angeles was modern science."

In the decade since the shooting, conspiracy research has centered around the ballistics evidence and autopsy, the suspicious behavior of a private security guard hired that night by the Ambassador Hotel, a right wing maverick minister who claimed to have picked up hitchhiker Sirhan on June 3, and finally the horrifying quegmire of Sirhan's own mind.

In the area of physical evidence, the only thing that has evolved in recent years has been official resistance to a thorough re-examination. A county commissioner's panel on the re-firing of Sirhan's gun showed only, in a manner reminiscent of the FBI conclusions on the matching of the King bullet to the Ray rifle, that it was consistent with bullets spent in the Ambassador pentry. The apparent discrepancies between the RFK bullet and bullets recovered from injured bystanders (seemingly different style and number of cannelures) cannot be definitively resolved due to the smallness of the .22 calibre. The Noguchi autopsy report persists as an enigma in its implication that the fatal bullet entered RFK from a range closer than Sirhan's reported position. FBI documents on the case, released through FOIA, reveal the discovery of bullets in the pentry divider. The LAPD reported that a bullet was lost in the ceiling interspace. Seven bullets were recovered from the victims. Sirhan's pistol held eight. The mathematics suggest conspiracy. LAPD files, which might illuminate many of these mysteries, remain secret, as there is no FOIA on a state level. Neutron Activation Analysis tests, which could clarify the ballistics controversy, have never been performed.

Thane Eugene Cesar was the security guard standing behind RFK, in a position consistent with the fatal bullet's angle of entrance. One witness has stated that Cesar pulled out his pistol during the time of Sirhan's onrush, but this has gone unconfirmed by other observers. According to Bill Turner, co-author with John Christien of *The Assassination of Robert Kennedy* (scheduled for August publication by Random House), Cesar sold his .22 pistol soon after the assassination to a friend in Arkansas. Cesar has previously claimed that he sold the pistol prior to June 5, 1968. This pistol, which might be tested to match with other bullets, was reportedly stolen from the Arkansas purchaser, with whom Cesar had once been employed at Lockheed in Burbank, Calif. There seems no where to go now on this point.

Rev. Jerry Owen, a right wing minister associated with Dr. Carl McIntyre of the National Council of Christian Churches, reported to the LAPD that on the afternoon of June 3, 1968, he picked up two hitchhikers while driving his pickup truck through L.A. One of his passengers, he told police, was Sirhan. After a discussion about horses, and an arrangement to meet that night to sell Sirhan a horse, Owen dropped his passenger off at his destination, the Ambassador Hotel.

Owen's ties to McIntyre, his acquaintanceship with Edgar Eugene Bradley, a suspect in the Garrison investigation, and a phoney elibi he gave police as to his whereabouts at the time of the shooting make him a logical target for investigative work yet to be done. Turner has uncovered indications that Owen had a relationship with Sirhan as much as three months prior to the assassination. The LAPD did not believe Owen's hitchhiker story, labeling it a publicity stunt. This seems contradicted by the efforts Owen in fact made to keep his name out of the media in association with the story. Turner speculates that the minister filed his report with LAPD to place an innocent explanation on a more sinister relationship should a legitimate investigation materialize. The truck Owen was driving when he allegedly picked up Sirhan was dusted for fingerprints by the LAPD. The results of this test have never been made public.

Despite the need for investigative efforts on a variety of fronts, most researchers concur that the key to the case is locked in the recesses of Sirhan's mind. This is the Manchurian Candidate theory—was Sirhan programmed, when was it done, and by whom? The indications that Sirhan was in an altered mental state at the time of the assassination are his unusual calm at that time of great panic, the robotic scribbling "RFK must die, pay to the order of Sirhan Sirhan" in his diary, and his complete inability, even under deep hypnosis, to recall any details of the moments surrounding the fatal shooting.

This aspect of the case was firmly in the province of science fiction until this year's release of the CIA's MK-Ultra file, which has been reported on extensively in these pages. In particular, a sub-project called Operation Artichoke dealt specifically with experimentation into the manipulation of drugged and/or hypnotized individuals for the purposes of assassination. The inclusion in a subject's programming of a "locking device", which might account for Sirhan's vast blank concerning the moments of the shooting, has long been a trick in the deft hypnotist's repertoire.

Sirhan, 34, is now incarcerated at Soledad Prison. Doctors who have examined and interviewed him have been impressed with his easy adaptability to hypnosis. However, when in a trance, Sirhan remembers nothing about the assassination. Only "deprogramming" might unlock his memory. But this would require the consent of his attorney, Godfrey Issecs (who feels Sirhan's best bet is to wait it out until he becomes eligible for parole in 1986), and the California Corrections Department; who have no great appetite for seeing this case cracked.

—B.K.



8. Clandestine America

THANK YOU, AND "ANOTHER PITCH"

Not to cry wolf one more time—but this is it. The HSCA public hearings are only weeks away. We do not expect the proceedings to be the final solutions to these cases, but they can be a big step in the right direction if favorable treatment of conspiracy can be maneuvered into the media. We need money for documents, printing, telephones, mailing, and especially the subsistence support of researchers in Washington for the three or four months of hearings.

From our last "pitch," we received \$1450 from 50 contributors, the two largest being \$550 and \$100. (Our minimum monthly expenses have been averaging \$2000.) We thank all these supporters for the generous assistance.

For those who have pondered a financial contribution but have yet to act, the time will never be more critical. We need your help, and thank you once again.

RECOMMENDED BOOKS

The Private Sector, by George O'Toole, 1978, W.W. Norton & Co., NYC, 250 pps.

This new book—subtitled "Rant-a-Cops, Private Spies, and the Police-Industrial Complex"—provides fascinating tales from the world of private espionage that illustrate the dangers to civil liberties if such growth goes unchecked. The author gives several examples of organizations to scrutinize, including: the Law Enforcement Intelligence Agency Unit and the Society of Former Agents of the FBI, which both wield considerable power, and have been largely oblivious to the public eye.

Notice to Our Readers—

Due to the workload of preparing for the public hearings, the next issue will be August/September.

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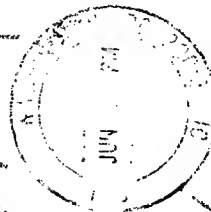
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